

JOURNAL OF THE HOUSE.

Monday, August 26, 2013.

Met at six minutes after eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Presentation of the Colors.

The Chair (Mr. Donato) declared a brief recess and introduced Lt. Colonel John G. Horvath and the senior cadets of the Plymouth Squadron of the Massachusetts Wing of the Civil Air Patrol.

The Civil Air Patrol Color Guard then entered the Chamber and presented the Colors; and the members, guests and employees joined with them in reciting the pledge of allegiance to the flag.

They were the guests of Representatives Cutler of Duxbury, Barrows of Mansfield, Calter of Kingston, Cantwell of Marshfield, deMacedo of Plymouth, Diehl of Whitman, Heroux of Attleboro, Hunt of Sandwich, Kafka of Stoughton, Mariano of Quincy, Murphy of Weymouth and Poirier of North Attleborough.

Presentation of the Colors and Pledge of allegiance.

Petitions.

Mr. Sánchez of Boston presented a petition (subject to Joint Rule 12) of Jeffrey Sánchez and others for legislation to prohibit the sale to minors of electronic devices used to deliver liquid nicotine vapor; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Health. Sent to the Senate for concurrence.

Electronic cigarettes.

Petitions severally were presented and referred as follows:

By Mr. Kuros of Uxbridge, a petition (accompanied by bill, House, No. 3636) of Kevin J. Kuros and Richard T. Moore (by vote of the town) that the town of Bellingham be authorized to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises. To the committee on Consumer Protection and Professional Licensure.

Bellingham,—alcoholic beverages.

By Ms. DiZoglio of Methuen, a petition (accompanied by bill, House, No. 3637) of Diana DiZoglio and others (with the approval of the mayor and city council) that the city of Methuen be authorized to appoint Martin B. Parayno a firefighter in said city notwithstanding the maximum age requirement; and

Methuen,—Martin B. Parayno.

By Mr. Matewsky of Everett, a petition (accompanied by bill, House, No. 3638) of Wayne Matewsky (with the approval of the mayor, board of aldermen and common council) that the city of Everett be

Everett,—Michael Marchese.

Everett,—
Michael
Marchese.

authorized to retire Michael Marchese at the rate of compensation which would have been paid to him at the time of his retirement had he continued in service as a police officer in said city;

Severally to the committee on Public Service.

Severally sent to the Senate for concurrence.

Public
utilities,—
vegetation
removal.

Mr. Cutler of Duxbury presented a petition (subject to Joint Rule 12) of Josh S. Cutler for an investigation by a special commission (including members of the General Court) relative to vegetation removal by public utility companies; and the same was referred, under Rule 24, to the committee on Rules.

Reports of Committees.

Driving,—
mobile
telephones.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the Bill requiring the hands-free use of mobile telephones while driving (House, No. 3588),— and recommending the same be referred to the committee on Public Safety and Homeland Security. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence in the reference.

Medical
examiner,—
release.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Senate Bill relative to the release of a body by the medical examiner to a person charged with an offense which resulted in the death of the deceased (Senate, No. 1099, changed and amended), be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith.

Pending the question on ordering the bill to a third reading, Mr. Durant of Spencer moved to amend it by adding the following section:

“SECTION 2. Section 2 of chapter 38 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting at the end thereof the following paragraph: —

Nothing in this section shall be construed to prohibit the Office of the Chief Medical Examiner from providing a copy of the autopsy report of a decedent to the decedent’s surviving spouse or a person in the first of degree consanguinity.”

The amendment was adopted; and the bill, as amended, was ordered to a third reading.

Ware,—
land.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the following bills be scheduled for consideration by the House:

The Senate Bill authorizing the Division of Capital Asset Management and Maintenance to grant an easement upon land of the Commonwealth located in the town of Ware to the Massachusetts Water Resources Authority (Senate, No. 1837); and

Harvard,—
liquor
license.

The House Bill relative to the sale of alcoholic beverages in the town of Harvard (House, No. 3494, changed) [Local Approval Received];

Under suspension of Rule 7A, in each instance, on motion of Mr. Kafka, the bills were read a second time forthwith; and they were ordered to a third reading.

Emergency Measures.

The engrossed Bill establishing a sick leave bank for Jonathan Palermo, an employee of the Trial Court (see Senate, No. 1782, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble. Jonathan Palermo,—sick leave.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 7 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate. Bill enacted.

The engrossed Bill establishing a sick leave bank for Heather Pietras-Gladu, an employee of the Department of Children and Families (see Senate, No. 1808, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble. Heather Pietras-Gladu,—sick leave.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 7 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate. Bill enacted.

The engrossed Bill relative to background checks (see Senate, No. 1839), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble. Background checks.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 7 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate. Bill enacted.

Engrossed Bill.

The engrossed Bill relative to betterment assessments for sewer projects in the town of Barnstable (see House, No. 3372) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate. Bill enacted.

Orders of the Day.

Fairhaven,—
liquor
license.

The House Bill authorizing the town of Fairhaven to grant an additional license for the sale of wines and malt beverages to be drunk on the premises (House, No. 3603), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Order.

Next
sitting.

On motion of Mr. DeLeo of Winthrop,—
Ordered, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.

At twenty-eight minutes before twelve o'clock noon, on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.